



CORPORATION SERVICE COMPANY

Notice of Service of Process

JUT / ALL
Transmittal Number: 5429893
Date Processed: 11/07/2007

Primary Contact: Nancy Bunker
The Home Depot, Inc.
2455 Paces Ferry Rd SE
Atlanta, GA 30339-1834

Copy of transmittal only provided to: Quinessa Malcolm

Entity:	Home Depot U.S.A., Inc. Entity ID Number 2483807
Entity Served:	Home Depot U.S.A., Inc
Title of Action:	Van Huyghue vs. Home Depot U.S.A., Inc
Document(s) Type:	Summons/Complaint
Nature of Action:	Personal Injury
Court:	New York Supreme Court, New York
Case Number:	114519/07
Jurisdiction Served:	New York
Date Served on CSC:	11/07/2007
Answer or Appearance Due:	30 Days
Originally Served On:	NY Secretary of State on 11/02/2007
How Served:	Certified Mail
Plaintiff's Attorney:	Sol Zepnick 212-964-9595

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC
CSC is SAS70 Type II certified for its Litigation Management System.
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | sop@cscinfo.com

State of New York - Department of State
Division of Corporations

Party Served:
HOME DEPOT U.S.A., INC.

Plaintiff/Petitioner:
HUYGHUE, VAN

C/O CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY, NY 12207-2543

Dear Sir/Madam:

Enclosed herewith is a legal document which was served upon the Secretary of State on 11/02/2007 pursuant to SECTION 306 OF THE BUSINESS CORPORATION LAW.

This copy is being transmitted pursuant to such statute to the address provided for such purpose.

Very truly yours,
Division of Corporations

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----x
VAN HUYGHUE,

Plaintiff,

-against-

HOME DEPOT U.S.A., INC.,

Defendant.
-----x

Index No.

114519/07

Date purchased:

10/29/07

Plaintiff designates
New York County
as the place of trial.

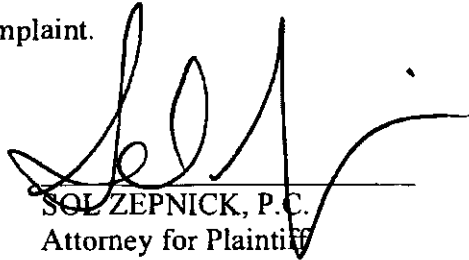
SUMMONS

The basis of venue:
Plaintiff's residence

Plaintiff resides at
31 East 31st Street
New York, N.Y. 10016

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on the Plaintiff(s) attorney within twenty (20) days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or Answer, Judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: New York, New York
October 26, 2007



SOL ZEPNICK, P.C.
Attorney for Plaintiff
150 Broadway-Suite 1113
New York, New York 10038
Tel. (212) 964-9595

Defendant's Address:

HOME DEPOT U.S.A., INC.
2455 Paces Ferry Road
Atlanta, GA 30339-4053

NEW YORK
COUNTY CLERK'S OFFICE

OCT 29 2007

NOT COMPARED
WITH COPY FILE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- x
VAN HUYGHUE,

Plaintiff,

-against-

HOME DEPOT U.S.A., INC.

Defendant.
----- x

Index #:

114519/07

VERIFIED
COMPLAINT

Plaintiff, complaining of the Defendant, by his attorney, SOL ZEPNICK, P.C, respectfully alleges as follows:

1. That at all the times hereinafter mentioned, the Plaintiff was and still is a resident of the County of New York, City and State of New York.

2. That at all the times hereinafter mentioned, the Defendant HOME DEPOT U.S.A., INC., was and still is a foreign corporation, organized and existing under and by virtue of the laws of the State of Georgia and duly licensed and authorized to conduct business in the State of New York.

3. That at all the times hereinafter mentioned, the Defendant HOME DEPOT U.S.A., INC., owned, operated, managed, maintained and controlled a certain retail store known as "HOME DEPOT Store # 6175" located at 40 West 23rd Street in the County of New York, City and State of New York.

NEW YORK
COUNTY CLERK'S OFFICE

OCT 29 2007

NOT COMPARED
WITH COPY FILE

4. That on or about the 3rd day of January 2006, while the Plaintiff was lawfully proceeding inside the entrance to the Defendant's aforesaid store premises as a patron, he was caused to slip and fall and be violently precipitated to the ground and floor, resulting in serious and permanent personal injuries as hereinafter alleged.

5. That the aforesaid accident, with serious and permanent injuries to the Plaintiff therefrom, was caused by the culpable conduct and gross negligence of the Defendant, its agents, servants and/or employees, in that they:

a. caused, created and permitted the ground and floor at the entranceway to the Defendant's store premises to be, become and remain in an unsafe and dangerous condition with accumulations of water and other wet debris thereby creating a slipping and falling hazard for persons walking thereon including the Plaintiff;

b. failed to place signs, signals, barricades, warning devices and other notices so as to alert members of the public including the Plaintiff of the aforesaid dangerous, hazardous, wet and slippery ground and floor conditions existing at the entranceway to the Defendant's store despite having

prior advanced knowledge and warning of inclement weather conditions;

c. failed to place adequate floor mats and runners at the aforesaid entranceway causing dangerous, hazardous and slippery floor conditions at the entranceway to the Defendant's store despite having prior advanced knowledge and warning of inclement weather conditions;

d. failed to make timely and proper inspections of the said ground and floor at the entranceway to the Defendant's store despite having prior advanced knowledge and warning of rainfall and other inclement weather conditions;

e. failed to make the said entrance area safe for patrons proceeding thereat including the Plaintiff;

f. violated those sections of the Administrative and Building Codes of the City and State of New York, rules, regulations and standards concerning building maintenance and safety in such cases made and provided for and which the Trial Court will take judicial notice of.

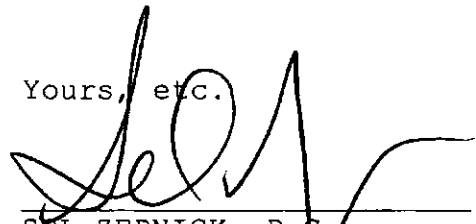
6. That by reason of the foregoing, the Plaintiff VAN HUYGHUE, has been rendered sick, sore, lame, maimed and disabled and so remains; that he required hospitalization, medical and surgical care and treatment with continuing pain and suffering and disability; that he has been unable to attend to his usual vocation and social and activities; that he has been obliged to expend and will expend in the future, sums of money for hospital and medical care and attention and on information and belief he will require additional future surgery; that some of his injuries are of a permanent nature; that he has suffered past, present and future impairment of his earning capacity, and has suffered and will continue to suffer a loss of enjoyment of life and permanent disability with on-going pain and suffering and impairment of his normal social life activities and enjoyment of life.

7. That by reason of the foregoing, the amount of damages sought by the Plaintiff VAN HUTGHUE exceeds the jurisdiction of all the lower courts which would otherwise have jurisdiction.

WHEREFORE, the Plaintiff demands judgment against the Defendant as permitted by law.

Dated: New York, New York
October 26, 2007

Yours, etc.

A handwritten signature in black ink, appearing to read 'Sol Zepnick', written over a horizontal line.

SOL ZEPNICK, P.C.
Attorney for Plaintiff
150 Broadway, Suite 1113
New York, N.Y. 10038
(212) 964-9595

STATE OF NEW YORK)
COUNTY OF NEW YORK)

) SS:

I, VAN HUYGHUE, being duly sworn, say:

I am the Plaintiff in the within action. I have read the foregoing Complaint and know the contents thereof. The same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.


VAN HUYGHUE

Sworn to before me this 26 day of
October 2007


NOTARY PUBLIC

SOL ZEPNICK
NOTARY PUBLIC, STATE OF NEW YORK
Reg. No. 02ZE9797975
Qualified in Bronx County
My Commission Expires January 31, 2011

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

VAN HUYGHUE,

Plaintiff,

-against-

HOME DEPOT U.S.A., INC.,

Defendant.

SUMMONS & VERIFIED COMPLAINT

SOL ZEPNICK, P.C.
Attorney for PLAINTIFF
Office and Post Office Address, Telephone
150 Broadway-Suite 1113
New York, NY 10038
212 964-9595

To:

Attorneys for Defendants

respectively

Service of a copy of the within is hereby admitted.

Dated: +
New York, NY
Attorney(s) for

Notice of Entry

Sir - Please take notice that the within is a (certified) true copy of a Judgment with Bill of Costs duly entered in the office of the clerk of the within named court on

Dated:
New York, NY

Yours, etc.
SOL ZEPNICK, P.C.
Attorney for PLAINTIFF
150 Broadway-Suite 1113
New York, NY 10038
212 964-9595

To:
Attorney(s) for Defendants

At:

Notice of Settlement

Sir - Please take notice that an order

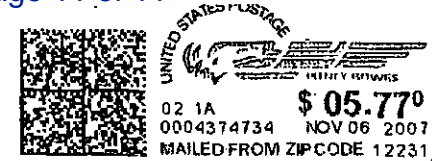
of which the within is a true copy will be presented for settlement to the Hon. .
one of the judges of the within named Court, at
Supreme:

Dated:
New York, NY

Yours, etc.
SOL ZEPNICK, P.C.
Attorney for PLAINTIFF
150 Broadway-Suite 1113
New York, New York 10038
212 964-9595

200711030 233

200711050 213



Sender:

New York State Department of State
41 State Street
Albany, NY 12231

CERTIFIED MAIL

Receipt # 200711050233

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (☐ Addressee or ☐ Agent)

X

B. Received By: (Please Print Clearly)

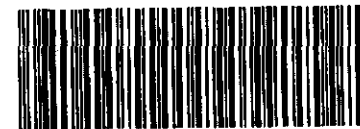
C. Date of Delivery

D. Addressee's Address (If Different From Address Used by Sender.)

Secondary Address / Suite / Apt. / Floor (Please Print Clearly)

Delivery Address

City State ZIP + 4 Code



7111 5495 5583 1590 5310

RETURN RECEIPT REQUESTED

Article Addressed To:

HOME DEPOT U.S.A., INC.
C/O CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY, NY 12207-2543

USA CERTIFIED MAIL
* Return 3-73-277 *
* 5,997,648 * 5,548,800 *
\$-UP Laser Form 375 / USA CMT-475 1105 *

005-1248 (11/96)

DEPARTMENT OF STATE
UNIFORM COMMERCIAL CODE
41 STATE STREET
ALBANY, NY 12231-0001

C/O CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY, NY 12207-2543

